

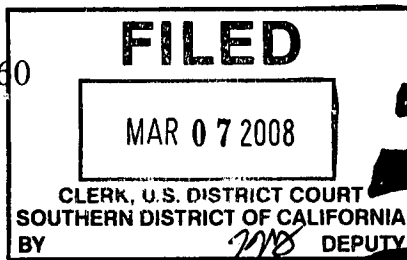
1 PERRY ROSHAN-ZAMIR (SBN No.
161565)

2 IN-HOUSE CORPORATE COUNSEL
LA SALSA, INC.

3 100 Moody Ct., Ste. 200
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5 Attorneys for Defendant
6 LA SALSA, INC.



7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10
11 LARRY McIVER

12 Plaintiff,

13 v.

14 TARGET CORPORATION dba TARGET
15 #274; COST PLUS, INC. dba COST PLUS
16 WORLD MARKET #145; FRIT
17 ESCONDIDO PROMENADE, LLC; LA
18 SALSA, INC. dba LA SALSA # 93;
19 APPLEBEE'S RESTAURANTS WEST,
20 LLC dba APPLEBEE'S NEIGHBORHOOD
BAR & GRILL #5711; TOYS 'R' US-
DELAWARE, INC. dba TOYS 'R' US
#5633; PARTY CITY CORPORATION dba
PARTY CITY OF ESCONDIDO #445;
INLAND WESTERN MDS PORTFOLIO,
LLC,

21 Defendants

CASE NO.:

08 CV 0132 IEG WMG

ANSWER

22
23
24 Defendant, LA SALSA, INC., appearing for itself and no other Defendant,
25 person, firm or entity, and answers the Complaint of the plaintiff, LARRY MCIVER,
26 an individual, by admitting, denying and alleging as follows:

27
28 1. Answering Paragraph 1 of the Complaint, the allegations set forth

1 are conclusions of law and therefore, no response is required
2 thereto.

3 2. Answering Paragraph 2 of the Complaint, Defendant denies that a
4 civil rights action was warranted by Plaintiff against La Salsa, Inc.
5 Regarding the other entities listed, Defendant lacks the information
6 and knowledge necessary to form a belief as to Plaintiff's
7 allegations.

8 3. Answering Paragraph 3 of the Complaint, the allegations set forth
9 are conclusions of law and therefore, no response is required
10 thereto.

11 4. Answering Paragraph 4 of the Complaint, Defendant denies the
12 allegations contained therein.

13 5. Answering Paragraph 5 of the Complaint, Defendant denies that
14 anyone or any statute "authorized" Plaintiff to bring this lawsuit.

15 6. Answering Paragraph 6 of the Complaint, Defendant denies that
16 any "actions" took place in the jurisdiction of the USDC, Southern
17 District. Defendant admits that venue of this Court is appropriate
18 pursuant to 28 U.S.C. Sections 1391(b) and (c).

19 7. Answering Paragraph 7 of the Complaint, Defendant admits that it
20 leases Store No. 39, and is a corporation. Defendant denies the
21 remainder of the allegations contained therein.

22 8. Answering Paragraph 8 of the Complaint, Defendant lacks the
23 information and knowledge necessary to form a belief as to the
24 Plaintiff's allegations and on that basis denies the allegations.

25 9. Answering Paragraph 9 of the Complaint, Defendant lacks the
26 information and knowledge necessary to form a belief as to the
27 Plaintiff's allegations and on that basis denies the allegations.

28 10. Answering Paragraph 10 of the Complaint, Defendant lacks the

1 information and knowledge necessary to form a belief as to the
2 Plaintiff's allegations and on that basis denies the allegations.

3 11. Answering Paragraph 11 of the Complaint, Defendant lacks the
4 information and knowledge necessary to form a belief as to the
5 Plaintiff's allegations and on that basis denies the allegations.

6 12. Answering Paragraph 12 of the Complaint, Defendant lacks the
7 information and knowledge necessary to form a belief as to the
8 Plaintiff's allegations and on that basis denies the allegations.

9 13. Answering Paragraph 13 of the Complaint, Defendant lacks the
10 information and knowledge necessary to form a belief as to the
11 Plaintiff's allegations and on that basis denies the allegations.

12 14. Answering Paragraph 14 of the Complaint, Defendant lacks the
13 information and knowledge necessary to form a belief as to the
14 Plaintiff's allegations and on that basis denies the allegations.

15 15. Answering Paragraph 15 of the Complaint, Defendant lacks the
16 information and knowledge necessary to form a belief as to the
17 Plaintiff's allegations and on that basis denies the allegations.

18 16. Answering Paragraph 16 of the Complaint, Defendant admits that
19 Store No. 93 is a non-residential establishment serving food and
20 drink, open to the general public. Except as expressly admitted,
21 Defendant denies each and every allegation contained in Paragraph
22 16.

23 17. Answering Paragraph 17 of the Complaint, Defendant lacks the
24 information and knowledge necessary to form a belief as to the
25 Plaintiff's allegations and on that basis denies the allegations.

26 18. Answering Paragraph 18 of the Complaint, Defendant lacks the
27 information and knowledge necessary to form a belief as to the
28 Plaintiff's allegations and on that basis denies the allegations.

- 1 19. Answering Paragraph 19 of the Complaint, Defendant lacks the
2 information and knowledge necessary to form a belief as to the
3 Plaintiff's allegations and on that basis denies the allegations.
- 4 20. Answering Paragraph 20 of the Complaint, Defendant lacks the
5 information and knowledge necessary to form a belief as to the
6 Plaintiff's allegations and on that basis denies the allegations.
- 7 21. Answering Paragraph 21 of the Complaint, Defendant lacks the
8 information and knowledge necessary to form a belief as to the
9 Plaintiff's allegations and on that basis denies the allegations.
- 10 22. Answering Paragraph 22 of the Complaint, Defendant lacks the
11 information and knowledge necessary to form a belief as to the
12 Plaintiff's allegations and on that basis denies the allegations.
- 13 23. Answering Paragraph 23 of the Complaint, Defendant lacks the
14 information and knowledge necessary to form a belief as to the
15 Plaintiff's allegations and on that basis denies the allegations.
- 16 24. Answering Paragraph 24 of the Complaint, Defendant denies each
17 and every averment asserted against the Defendant as contained in
18 Paragraph 24. As to the averments against other Defendants,
19 Defendant lacks the information and knowledge necessary to form
20 a belief as to Plaintiff's averments and on that basis denies the
21 averments.
- 22 25. Answering Paragraph 26 of the Complaint, Defendant denies each
23 and every allegation contained therein.
- 24 26. Answering Paragraph 25 of the Complaint, Defendant denies each
25 and every allegation contained therein.
- 26 27. Answering Paragraph 27 of the Complaint, Defendant lacks the
27 information and knowledge necessary to form a belief as to the
28 Plaintiff's allegations and on that basis denies the allegations.

- 1 28. Answering Paragraph 28 of the Complaint, Defendant lacks the
2 information and knowledge necessary to form a belief as to the
3 Plaintiff's allegations and on that basis denies the allegations.
- 4 29. Answering Paragraph 29 of the Complaint, Defendant lacks the
5 information and knowledge necessary to form a belief as to the
6 Plaintiff's allegations and on that basis denies the allegations.
- 7 30. Answering Paragraph 30 of the Complaint, Defendant lacks the
8 information and knowledge necessary to form a belief as to the
9 Plaintiff's allegations and on that basis denies the allegations.
- 10 31. Answering Paragraph 31 of the Complaint, Defendant lacks the
11 information and knowledge necessary to form a belief as to the
12 Plaintiff's allegations and on that basis denies the allegations.
- 13 32. Answering Paragraph 32 of the Complaint, Defendant lacks the
14 information and knowledge necessary to form a belief as to the
15 Plaintiff's allegations and on that basis denies the allegations.
- 16 33. Answering Paragraph 33 of the Complaint, Defendant lacks the
17 information and knowledge necessary to form a belief as to the
18 Plaintiff's allegations and on that basis denies the allegations.
- 19 34. Answering Paragraph 34 of the Complaint, Defendant lacks the
20 information and knowledge necessary to form a belief as to the
21 Plaintiff's allegations and on that basis denies the allegations.
- 22 35. Answering Paragraph 35 of the Complaint, Defendant lacks the
23 information and knowledge necessary to form a belief as to the
24 Plaintiff's allegations and on that basis denies the allegations.
- 25 36. Answering Paragraph 36 of the Complaint, Defendant lacks the
26 information and knowledge necessary to form a belief as to the
27 Plaintiff's allegations and on that basis denies the allegations.
- 28 37. Answering Paragraph 37 of the Complaint, Defendant lacks the

1 information and knowledge necessary to form a belief as to the
2 Plaintiff's allegations and on that basis denies the allegations.

3 38. Answering Paragraph 38 of the Complaint, Defendant lacks the
4 information and knowledge necessary to form a belief as to the
5 Plaintiff's allegations and on that basis denies the allegations.

6 39. Answering Paragraph 39 of the Complaint, Defendant denies each
7 and every allegation contained therein as it relates to La Salsa
8 Store No. 93.

9 40. Answering Paragraph 40 of the Complaint, Defendant denies each
10 and every allegation contained therein as it relates to La Salsa
11 Store No. 93.

12 41. Answering Paragraph 41 of the Complaint, Defendant denies each
13 and every allegation contained therein as it relates to La Salsa
14 Store No. 93.

15 42. Answering Paragraph 42 of the Complaint, Defendant denies each
16 and every allegation contained therein.

17 43. Answering Paragraph 43 of the Complaint, Defendant denies each
18 and every allegation contained therein.

19 44. Answering Paragraph 44 of the Complaint, Defendant denies each
20 and every allegation contained therein.

21 45. Answering Paragraph 45 of the Complaint, Defendant lacks the
22 information and knowledge necessary to form a belief as to the
23 Plaintiff's allegations and on that basis denies the allegations.

24 46. Answering Paragraph 46 of the Complaint, Defendant lacks the
25 information and knowledge necessary to form a belief as to the
26 Plaintiff's allegations and on that basis denies the allegations.

27 47. Answering Paragraph 47 of the Complaint, Defendant lacks the
28 information and knowledge necessary to form a belief as to the

1 Plaintiff's allegations and on that basis denies the allegations.
2 48. Answering Paragraph 48 of the Complaint, Defendant lacks the
3 information and knowledge necessary to form a belief as to the
4 Plaintiff's allegations and on that basis denies the allegations.
5 49. Answering Paragraph 49 of the Complaint, Defendant lacks the
6 information and knowledge necessary to form a belief as to the
7 Plaintiff's allegations and on that basis denies the allegations.
8 50. Answering Paragraph 50 of the Complaint, Defendant lacks the
9 information and knowledge necessary to form a belief as to the
10 Plaintiff's allegations and on that basis denies the allegations
11 51. Answering Paragraph 51 of the Complaint, Defendant lacks the
12 information and knowledge necessary to form a belief as to the
13 Plaintiff's allegations and on that basis denies the allegations.
14 52. Answering Paragraph 52 of the Complaint, Defendant lacks the
15 information and knowledge necessary to form a belief as to the
16 Plaintiff's allegations and on that basis denies the allegations.
17 53. Answering Paragraph 53 of the Complaint, Defendant lacks the
18 information and knowledge necessary to form a belief as to the
19 Plaintiff's allegations and on that basis denies the allegations.
20 54. Answering Paragraph 54 of the Complaint, Defendant lacks the
21 information and knowledge necessary to form a belief as to the
22 Plaintiff's allegations and on that basis denies the allegations.
23 55. Answering Paragraph 55 of the Complaint, Defendant lacks the
24 information and knowledge necessary to form a belief as to the
25 Plaintiff's allegations and on that basis denies the allegations.
26 56. Answering Paragraph 56 of the Complaint, Defendant lacks the
27 information and knowledge necessary to form a belief as to the
28 Plaintiff's allegations and on that basis denies the allegations.

- 1 57. Answering Paragraph 57 of the Complaint, Defendant lacks the
2 information and knowledge necessary to form a belief as to the
3 Plaintiff's allegations and on that basis denies the allegations.
- 4 58. Answering Paragraph 58 of the Complaint, Defendant lacks the
5 information and knowledge necessary to form a belief as to the
6 Plaintiff's allegations and on that basis denies the allegations.
- 7 59. Answering Paragraph 59 of the Complaint, Defendant lacks the
8 information and knowledge necessary to form a belief as to the
9 Plaintiff's allegations and on that basis denies the allegations.
- 10 60. Answering Paragraph 60 of the Complaint, Defendant lacks the
11 information and knowledge necessary to form a belief as to the
12 Plaintiff's allegations and on that basis denies the allegations.
- 13 61. Answering Paragraph 61 of the Complaint, Defendant lacks the
14 information and knowledge necessary to form a belief as to the
15 Plaintiff's allegations and on that basis denies the allegations.
- 16 62. Answering Paragraph 62 of the Complaint, Defendant lacks the
17 information and knowledge necessary to form a belief as to the
18 Plaintiff's allegations and on that basis denies the allegations.
- 19 63. Answering Paragraph 63 of the Complaint, Defendant denies each
20 and every allegation contained therein as it relates to La Salsa
21 Store No. 93. Defendant lacks the information and knowledge
22 necessary to form a belief as to the remainder of the allegations,
23 and on that basis denies the allegations.
- 24 64. Answering Paragraph 64 of the Complaint, Defendant denies each
25 and every allegation contained therein as it relates to La Salsa
26 Store No. 93. Defendant lacks the information and knowledge
27 necessary to form a belief as to the remainder of the allegations,
28 and on that basis denies the allegations.

1 65. Answering Paragraph 65 of the Complaint, Defendant denies each
2 and every allegation contained therein as it relates to La Salsa
3 Store No. 93. Defendant lacks the information and knowledge
4 necessary to form a belief as to the remainder of the allegations,
5 and on that basis denies the allegations.

6 66. Answering Paragraph 66 of the Complaint, Defendant re-alleges
7 and incorporates herein by this reference Paragraphs 1 through 65
8 of this Answer as set forth above.

9 67. Answering Paragraph 67 of the Complaint, the allegations set forth
10 are conclusions of law that require no responsive pleading under
11 the Federal Rules of Civil Procedure and are therefore, specifically
12 denied.

13 68. Answering Paragraph 68 of the Complaint, Defendant denies each
14 and every allegation contained therein.

15 69. Answering Paragraph 69 of the Complaint, the allegations set forth
16 are conclusions of law that require no responsive pleading under
17 the Federal Rules of Civil Procedure and are therefore, specifically
18 denied.

19 70. Answering Paragraph 70 of the Complaint, the allegations set forth
20 are conclusions of law that require no responsive pleading under
21 the Federal Rules of Civil Procedure and are therefore, specifically
22 denied.

23 71. Answering Paragraph 71 of the Complaint, Defendant denies each
24 and every allegation contained therein.

25 72. Answering Paragraph 72 of the Complaint, Defendant denies each
26 and every allegation contained therein.

27 73. Answering Paragraph 73 of the Complaint, Defendant denies each
28 and every allegation contained therein.

- 1 74. Answering Paragraph 74 of the Complaint, the allegations set forth
2 are conclusions of law that require no responsive pleading under
3 the Federal Rules of Civil Procedure and are therefore, specifically
4 denied.
- 5 75. Answering Paragraph 75 of the Complaint, Defendant denies each
6 and every allegation contained therein.
- 7 76. Answering Paragraph 76 of the Complaint, Defendant denies each
8 and every allegation contained therein.
- 9 77. Answering Paragraph 77 of the Complaint, the allegations set forth
10 are conclusions of law that require no responsive pleading under
11 the Federal Rules of Civil Procedure and are therefore, specifically
12 denied.
- 13 78. Answering Paragraph 78 of the Complaint, Defendant denies each
14 and every allegation contained therein.
- 15 79. Answering Paragraph 79 of the Complaint, the allegations set forth
16 are conclusions of law that require no responsive pleading under
17 the Federal Rules of Civil Procedure and are therefore, specifically
18 denied.
- 19 80. Answering Paragraph 80 of the Complaint, Defendant denies each
20 and every allegation contained therein.
- 21 81. Answering Paragraph 81 of the Complaint, Defendant denies each
22 and every allegation contained therein.
- 23 82. Answering Paragraph 82 of the Complaint, Defendant denies each
24 and every allegation contained therein.
- 25 83. Answering Paragraph 83 of the Complaint, Defendant repeats each
26 and every response contained in Paragraphs 1-82 as if fully set
27 forth herein.
- 28 84. Answering Paragraph 84 of the Complaint, the allegations set forth

1 are conclusions of law that require no responsive pleading under
2 the Federal Rules of Civil Procedure and are therefore, specifically
3 denied.

4 85. Answering Paragraph 85 of the Complaint, the allegations set forth
5 are conclusions of law that require no responsive pleading under
6 the Federal Rules of Civil Procedure and are therefore, specifically
7 denied.

8 86. Answering Paragraph 86 of the Complaint, the allegations set forth
9 are conclusions of law that require no responsive pleading under
10 the Federal Rules of Civil Procedure and are therefore, specifically
11 denied.

12 87. Answering Paragraph 87 of the Complaint, Defendant denies each
13 and every allegation contained therein.

14 88. Answering Paragraph 88 of the Complaint, Defendant denies each
15 and every allegation contained therein.

16 89. Answering Paragraph 89 of the Complaint, Defendant denies each
17 and every allegation contained therein.

18 90. Answering Paragraph 90 of the Complaint, Defendant repeats each
19 and every response contained in Paragraphs 1-89 as if fully set
20 forth herein.

21 91. Answering Paragraph 91 of the Complaint, the allegations set forth
22 are conclusions of law that require no responsive pleading under
23 the Federal Rules of Civil Procedure and are therefore, specifically
24 denied.

25 92. Answering Paragraph 92 of the Complaint, the allegations set forth
26 are conclusions of law that require no responsive pleading under
27 the Federal Rules of Civil Procedure and are therefore, specifically
28 denied.

- 1 93. Answering Paragraph 93 of the Complaint, the allegations set forth
2 are conclusions of law that require no responsive pleading under
3 the Federal Rules of Civil Procedure and are therefore, specifically
4 denied.
- 5 94. Answering Paragraph 94 of the Complaint, Defendant denies each
6 and every allegation contained therein.
- 7 95. Answering Paragraph 95 of the Complaint, Defendant denies each
8 and every allegation contained therein.
- 9 96. Answering Paragraph 96 of the Complaint, Defendant denies each
10 and every allegation contained therein.
- 11 97. Answering Paragraph 97 of the Complaint, Defendant denies each
12 and every allegation contained therein.
- 13 98. Answering Paragraph 98 of the Complaint, Defendant repeats each
14 and every response contained in Paragraphs 1-97 as if fully set
15 forth herein.
- 16 99. Answering Paragraph 99 of the Complaint, the allegations set forth
17 are conclusions of law that require no responsive pleading under
18 the Federal Rules of Civil Procedure and are therefore, specifically
19 denied.
- 20 100. Answering Paragraph 100 of the Complaint, the allegations set
21 forth are conclusions of law that require no responsive pleading
22 under the Federal Rules of Civil Procedure and are therefore,
23 specifically denied.
- 24 101. Answering Paragraph 101 of the Complaint, Defendant denies
25 each and every allegation contained therein.
- 26 102. Answering Paragraph 102 of the Complaint, Defendant denies
27 each and every allegation contained therein.
- 28 103. Answering Paragraph 103 of the Complaint, Defendant repeats

1 each and every response contained in Paragraphs 1-102 as if fully
2 set forth herein.

3 104. Answering Paragraph 104 of the Complaint: It does not pertain to
4 this answering Defendant and therefore Defendant lacks the
5 information and knowledge necessary to form a belief as to
6 Plaintiff's allegations, and on that basis no response is necessary.

7 105. Answering Paragraph 105 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.

11 106. Answering Paragraph 106 of the Complaint: It does not pertain to
12 this answering Defendant and therefore Defendant lacks the
13 information and knowledge necessary to form a belief as to
14 Plaintiff's allegations, and on that basis no response is necessary.

15 107. Answering Paragraph 107 of the Complaint: It does not pertain to
16 this answering Defendant and therefore Defendant lacks the
17 information and knowledge necessary to form a belief as to
18 Plaintiff's allegations, and on that basis no response is necessary.

19 108. Answering Paragraph 108 of the Complaint: It does not pertain to
20 this answering Defendant and therefore Defendant lacks the
21 information and knowledge necessary to form a belief as to
22 Plaintiff's allegations, and on that basis no response is necessary.

23 109. Answering Paragraph 109 of the Complaint: It does not pertain to
24 this answering Defendant and therefore Defendant lacks the
25 information and knowledge necessary to form a belief as to
26 Plaintiff's allegations, and on that basis no response is necessary.

27 110. Answering Paragraph 110 of the Complaint: It does not pertain to
28 this answering Defendant and therefore Defendant lacks the

1 information and knowledge necessary to form a belief as to
2 Plaintiff's allegations, and on that basis no response is necessary.

3 111. Answering Paragraph 111 of the Complaint: It does not pertain to
4 this answering Defendant and therefore Defendant lacks the
5 information and knowledge necessary to form a belief as to
6 Plaintiff's allegations, and on that basis no response is necessary.

7 112. Answering Paragraph 112 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.

11 113. Answering Paragraph 113 of the Complaint: It does not pertain to
12 this answering Defendant and therefore Defendant lacks the
13 information and knowledge necessary to form a belief as to
14 Plaintiff's allegations, and on that basis no response is necessary.

15 114. Answering Paragraph 114 of the Complaint: It does not pertain to
16 this answering Defendant and therefore Defendant lacks the
17 information and knowledge necessary to form a belief as to
18 Plaintiff's allegations, and on that basis no response is necessary.

19 115. Answering Paragraph 115 of the Complaint: It does not pertain to
20 this answering Defendant and therefore Defendant lacks the
21 information and knowledge necessary to form a belief as to
22 Plaintiff's allegations, and on that basis no response is necessary.

23 116. Answering Paragraph 116 of the Complaint: It does not pertain to
24 this answering Defendant and therefore Defendant lacks the
25 information and knowledge necessary to form a belief as to
26 Plaintiff's allegations, and on that basis no response is necessary.

27 117. Answering Paragraph 117 of the Complaint: It does not pertain to
28 this answering Defendant and therefore Defendant lacks the

1 information and knowledge necessary to form a belief as to
2 Plaintiff's allegations, and on that basis no response is necessary.

3 118. Answering Paragraph 118 of the Complaint: It does not pertain to
4 this answering Defendant and therefore Defendant lacks the
5 information and knowledge necessary to form a belief as to
6 Plaintiff's allegations, and on that basis no response is necessary.

7 119. Answering Paragraph 119 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.

11 120. Answering Paragraph 120 of the Complaint, Defendant repeats
12 each and every response contained in Paragraphs 1-119 as if fully
13 set forth herein.

14 121. Answering Paragraph 121 of the Complaint: It does not pertain to
15 this answering Defendant and therefore Defendant lacks the
16 information and knowledge necessary to form a belief as to
17 Plaintiff's allegations, and on that basis no response is necessary.

18 122. Answering Paragraph 122 of the Complaint: It does not pertain to
19 this answering Defendant and therefore Defendant lacks the
20 information and knowledge necessary to form a belief as to
21 Plaintiff's allegations, and on that basis no response is necessary.

22 123. Answering Paragraph 123 of the Complaint: It does not pertain to
23 this answering Defendant and therefore Defendant lacks the
24 information and knowledge necessary to form a belief as to
25 Plaintiff's allegations, and on that basis no response is necessary.

26 124. Answering Paragraph 124 of the Complaint: It does not pertain to
27 this answering Defendant and therefore Defendant lacks the
28 information and knowledge necessary to form a belief as to

1 Plaintiff's allegations, and on that basis no response is necessary.
2 125. Answering Paragraph 125 of the Complaint: It does not pertain to
3 this answering Defendant and therefore Defendant lacks the
4 information and knowledge necessary to form a belief as to
5 Plaintiff's allegations, and on that basis no response is necessary.
6 126. Answering Paragraph 126 of the Complaint: It does not pertain to
7 this answering Defendant and therefore Defendant lacks the
8 information and knowledge necessary to form a belief as to
9 Plaintiff's allegations, and on that basis no response is necessary.
10 127. Answering Paragraph 127 of the Complaint, Defendant repeats
11 each and every response contained in Paragraphs 1-126 as if fully
12 set forth herein.
13 128. Answering Paragraph 128 of the Complaint: It does not pertain to
14 this answering Defendant and therefore Defendant lacks the
15 information and knowledge necessary to form a belief as to
16 Plaintiff's allegations, and on that basis no response is necessary.
17 129. Answering Paragraph 129 of the Complaint: It does not pertain to
18 this answering Defendant and therefore Defendant lacks the
19 information and knowledge necessary to form a belief as to
20 Plaintiff's allegations, and on that basis no response is necessary.
21 130. Answering Paragraph 130 of the Complaint: It does not pertain to
22 this answering Defendant and therefore Defendant lacks the
23 information and knowledge necessary to form a belief as to
24 Plaintiff's allegations, and on that basis no response is necessary.
25 131. Answering Paragraph 131 of the Complaint: It does not pertain to
26 this answering Defendant and therefore Defendant lacks the
27 information and knowledge necessary to form a belief as to
28 Plaintiff's allegations, and on that basis no response is necessary.

- 1 132. Answering Paragraph 132 of the Complaint: It does not pertain to
2 this answering Defendant and therefore Defendant lacks the
3 information and knowledge necessary to form a belief as to
4 Plaintiff's allegations, and on that basis no response is necessary.
- 5 133. Answering Paragraph 133 of the Complaint: It does not pertain to
6 this answering Defendant and therefore Defendant lacks the
7 information and knowledge necessary to form a belief as to
8 Plaintiff's allegations, and on that basis no response is necessary.
- 9 134. Answering Paragraph 134 of the Complaint: It does not pertain to
10 this answering Defendant and therefore Defendant lacks the
11 information and knowledge necessary to form a belief as to
12 Plaintiff's allegations, and on that basis no response is necessary.
- 13 135. Answering Paragraph 135 of the Complaint, Defendant repeats
14 each and every response contained in Paragraphs 1-134 as if fully
15 set forth herein.
- 16 136. Answering Paragraph 136 of the Complaint: It does not pertain to
17 this answering Defendant and therefore Defendant lacks the
18 information and knowledge necessary to form a belief as to
19 Plaintiff's allegations, and on that basis no response is necessary.
- 20 137. Answering Paragraph 137 of the Complaint: It does not pertain to
21 this answering Defendant and therefore Defendant lacks the
22 information and knowledge necessary to form a belief as to
23 Plaintiff's allegations, and on that basis no response is necessary.
- 24 138. Answering Paragraph 138 of the Complaint: It does not pertain to
25 this answering Defendant and therefore Defendant lacks the
26 information and knowledge necessary to form a belief as to
27 Plaintiff's allegations, and on that basis no response is necessary.
- 28 139. Answering Paragraph 139 of the Complaint: It does not pertain to

1 this answering Defendant and therefore Defendant lacks the
2 information and knowledge necessary to form a belief as to
3 Plaintiff's allegations, and on that basis no response is necessary.

4 140. Answering Paragraph 140 of the Complaint, Defendant repeats
5 each and every response contained in Paragraphs 1-139 as if fully
6 set forth herein.

7 141. Answering Paragraph 141 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.

11 142. Answering Paragraph 142 of the Complaint: It does not pertain to
12 this answering Defendant and therefore Defendant lacks the
13 information and knowledge necessary to form a belief as to
14 Plaintiff's allegations, and on that basis no response is necessary.

15 143. Answering Paragraph 143 of the Complaint: It does not pertain to
16 this answering Defendant and therefore Defendant lacks the
17 information and knowledge necessary to form a belief as to
18 Plaintiff's allegations, and on that basis no response is necessary.

19 144. Answering Paragraph 144 of the Complaint: It does not pertain to
20 this answering Defendant and therefore Defendant lacks the
21 information and knowledge necessary to form a belief as to
22 Plaintiff's allegations, and on that basis no response is necessary.

23 145. Answering Paragraph 145 of the Complaint: It does not pertain to
24 this answering Defendant and therefore Defendant lacks the
25 information and knowledge necessary to form a belief as to
26 Plaintiff's allegations, and on that basis no response is necessary.

27 146. Answering Paragraph 146 of the Complaint: It does not pertain to
28 this answering Defendant and therefore Defendant lacks the

1 information and knowledge necessary to form a belief as to
2 Plaintiff's allegations, and on that basis no response is necessary.

3 147. Answering Paragraph 147 of the Complaint: It does not pertain to
4 this answering Defendant and therefore Defendant lacks the
5 information and knowledge necessary to form a belief as to
6 Plaintiff's allegations, and on that basis no response is necessary.

7 148. Answering Paragraph 148 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.

11 149. Answering Paragraph 149 of the Complaint: It does not pertain to
12 this answering Defendant and therefore Defendant lacks the
13 information and knowledge necessary to form a belief as to
14 Plaintiff's allegations, and on that basis no response is necessary.

15 150. Answering Paragraph 150 of the Complaint: It does not pertain to
16 this answering Defendant and therefore Defendant lacks the
17 information and knowledge necessary to form a belief as to
18 Plaintiff's allegations, and on that basis no response is necessary.

19 151. Answering Paragraph 151 of the Complaint: It does not pertain to
20 this answering Defendant and therefore Defendant lacks the
21 information and knowledge necessary to form a belief as to
22 Plaintiff's allegations, and on that basis no response is necessary.

23 152. Answering Paragraph 152 of the Complaint: It does not pertain to
24 this answering Defendant and therefore Defendant lacks the
25 information and knowledge necessary to form a belief as to
26 Plaintiff's allegations, and on that basis no response is necessary.

27 153. Answering Paragraph 153 of the Complaint: It does not pertain to
28 this answering Defendant and therefore Defendant lacks the

1 information and knowledge necessary to form a belief as to
2 Plaintiff's allegations, and on that basis no response is necessary.

3 154. Answering Paragraph 154 of the Complaint: It does not pertain to
4 this answering Defendant and therefore Defendant lacks the
5 information and knowledge necessary to form a belief as to
6 Plaintiff's allegations, and on that basis no response is necessary.

7 155. Answering Paragraph 155 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.

11 156. Answering Paragraph 156 of the Complaint: It does not pertain to
12 this answering Defendant and therefore Defendant lacks the
13 information and knowledge necessary to form a belief as to
14 Plaintiff's allegations, and on that basis no response is necessary.

15 157. Answering Paragraph 157 of the Complaint, Defendant repeats
16 each and every response contained in Paragraphs 1-156 as if fully
17 set forth herein.

18 158. Answering Paragraph 158 of the Complaint: It does not pertain to
19 this answering Defendant and therefore Defendant lacks the
20 information and knowledge necessary to form a belief as to
21 Plaintiff's allegations, and on that basis no response is necessary.

22 159. Answering Paragraph 159 of the Complaint: It does not pertain to
23 this answering Defendant and therefore Defendant lacks the
24 information and knowledge necessary to form a belief as to
25 Plaintiff's allegations, and on that basis no response is necessary.

26 160. Answering Paragraph 160 of the Complaint: It does not pertain to
27 this answering Defendant and therefore Defendant lacks the
28 information and knowledge necessary to form a belief as to

- 1 Plaintiff's allegations, and on that basis no response is necessary.
- 2 161. Answering Paragraph 161 of the Complaint: It does not pertain to
- 3 this answering Defendant and therefore Defendant lacks the
- 4 information and knowledge necessary to form a belief as to
- 5 Plaintiff's allegations, and on that basis no response is necessary.
- 6 162. Answering Paragraph 162 of the Complaint: It does not pertain to
- 7 this answering Defendant and therefore Defendant lacks the
- 8 information and knowledge necessary to form a belief as to
- 9 Plaintiff's allegations, and on that basis no response is necessary.
- 10 163. Answering Paragraph 163 of the Complaint: It does not pertain to
- 11 this answering Defendant and therefore Defendant lacks the
- 12 information and knowledge necessary to form a belief as to
- 13 Plaintiff's allegations, and on that basis no response is necessary.
- 14 164. Answering Paragraph 164 of the Complaint, Defendant repeats
- 15 each and every response contained in Paragraphs 1-163 as if fully
- 16 set forth herein.
- 17 165. Answering Paragraph 165 of the Complaint: It does not pertain to
- 18 this answering Defendant and therefore Defendant lacks the
- 19 information and knowledge necessary to form a belief as to
- 20 Plaintiff's allegations, and on that basis no response is necessary.
- 21 166. Answering Paragraph 166 of the Complaint: It does not pertain to
- 22 this answering Defendant and therefore Defendant lacks the
- 23 information and knowledge necessary to form a belief as to
- 24 Plaintiff's allegations, and on that basis no response is necessary.
- 25 167. Answering Paragraph 167 of the Complaint: It does not pertain to
- 26 this answering Defendant and therefore Defendant lacks the
- 27 information and knowledge necessary to form a belief as to
- 28 Plaintiff's allegations, and on that basis no response is necessary.

- 1 168. Answering Paragraph 168 of the Complaint: It does not pertain to
2 this answering Defendant and therefore Defendant lacks the
3 information and knowledge necessary to form a belief as to
4 Plaintiff's allegations, and on that basis no response is necessary.
- 5 169. Answering Paragraph 169 of the Complaint: It does not pertain to
6 this answering Defendant and therefore Defendant lacks the
7 information and knowledge necessary to form a belief as to
8 Plaintiff's allegations, and on that basis no response is necessary.
- 9 170. Answering Paragraph 170 of the Complaint: It does not pertain to
10 this answering Defendant and therefore Defendant lacks the
11 information and knowledge necessary to form a belief as to
12 Plaintiff's allegations, and on that basis no response is necessary.
- 13 171. Answering Paragraph 171 of the Complaint: It does not pertain to
14 this answering Defendant and therefore Defendant lacks the
15 information and knowledge necessary to form a belief as to
16 Plaintiff's allegations, and on that basis no response is necessary.
- 17 172. Answering Paragraph 172 of the Complaint, Defendant repeats
18 each and every response contained in Paragraphs 1-171 as if fully
19 set forth herein.
- 20 173. Answering Paragraph 173 of the Complaint: It does not pertain to
21 this answering Defendant and therefore Defendant lacks the
22 information and knowledge necessary to form a belief as to
23 Plaintiff's allegations, and on that basis no response is necessary.
- 24 174. Answering Paragraph 174 of the Complaint: It does not pertain to
25 this answering Defendant and therefore Defendant lacks the
26 information and knowledge necessary to form a belief as to
27 Plaintiff's allegations, and on that basis no response is necessary.
- 28 175. Answering Paragraph 175 of the Complaint: It does not pertain to

1 this answering Defendant and therefore Defendant lacks the
2 information and knowledge necessary to form a belief as to
3 Plaintiff's allegations, and on that basis no response is necessary.

4 176. Answering Paragraph 176 of the Complaint: It does not pertain to
5 this answering Defendant and therefore Defendant lacks the
6 information and knowledge necessary to form a belief as to
7 Plaintiff's allegations, and on that basis no response is necessary.

8 177. Answering Paragraph 177 of the Complaint, Defendant repeats
9 each and every response contained in Paragraphs 1-176 as if fully
10 set forth herein.

11
12 178. Answering Paragraph 178 of the Complaint: It does not pertain to
13 this answering Defendant and therefore Defendant lacks the
14 information and knowledge necessary to form a belief as to
15 Plaintiff's allegations, and on that basis no response is necessary.

16 179. Answering Paragraph 179 of the Complaint: It does not pertain to
17 this answering Defendant and therefore Defendant lacks the
18 information and knowledge necessary to form a belief as to
19 Plaintiff's allegations, and on that basis no response is necessary.

20 180. Answering Paragraph 180 of the Complaint: It does not pertain to
21 this answering Defendant and therefore Defendant lacks the
22 information and knowledge necessary to form a belief as to
23 Plaintiff's allegations, and on that basis no response is necessary.

24 181. Answering Paragraph 181 of the Complaint: It does not pertain to
25 this answering Defendant and therefore Defendant lacks the
26 information and knowledge necessary to form a belief as to
27 Plaintiff's allegations, and on that basis no response is necessary.

28 182. Answering Paragraph 182 of the Complaint: It does not pertain to

1 this answering Defendant and therefore Defendant lacks the
2 information and knowledge necessary to form a belief as to
3 Plaintiff's allegations, and on that basis no response is necessary.

4 183. Answering Paragraph 183 of the Complaint: It does not pertain to
5 this answering Defendant and therefore Defendant lacks the
6 information and knowledge necessary to form a belief as to
7 Plaintiff's allegations, and on that basis no response is necessary.

8 184. Answering Paragraph 184 of the Complaint: It does not pertain to
9 this answering Defendant and therefore Defendant lacks the
10 information and knowledge necessary to form a belief as to
11 Plaintiff's allegations, and on that basis no response is necessary.

12 185. Answering Paragraph 185 of the Complaint: It does not pertain to
13 this answering Defendant and therefore Defendant lacks the
14 information and knowledge necessary to form a belief as to
15 Plaintiff's allegations, and on that basis no response is necessary.

16 186. Answering Paragraph 186 of the Complaint: It does not pertain to
17 this answering Defendant and therefore Defendant lacks the
18 information and knowledge necessary to form a belief as to
19 Plaintiff's allegations, and on that basis no response is necessary.

20 187. Answering Paragraph 187 of the Complaint: It does not pertain to
21 this answering Defendant and therefore Defendant lacks the
22 information and knowledge necessary to form a belief as to
23 Plaintiff's allegations, and on that basis no response is necessary.

24 188. Answering Paragraph 188 of the Complaint: It does not pertain to
25 this answering Defendant and therefore Defendant lacks the
26 information and knowledge necessary to form a belief as to
27 Plaintiff's allegations, and on that basis no response is necessary.

28 189. Answering Paragraph 189 of the Complaint: It does not pertain to

1 this answering Defendant and therefore Defendant lacks the
2 information and knowledge necessary to form a belief as to
3 Plaintiff's allegations, and on that basis no response is necessary.

4 190. Answering Paragraph 190 of the Complaint: It does not pertain to
5 this answering Defendant and therefore Defendant lacks the
6 information and knowledge necessary to form a belief as to
7 Plaintiff's allegations, and on that basis no response is necessary.

8 191. Answering Paragraph 191 of the Complaint: It does not pertain to
9 this answering Defendant and therefore Defendant lacks the
10 information and knowledge necessary to form a belief as to
11 Plaintiff's allegations, and on that basis no response is necessary.

12 192. Answering Paragraph 192 of the Complaint: It does not pertain to
13 this answering Defendant and therefore Defendant lacks the
14 information and knowledge necessary to form a belief as to
15 Plaintiff's allegations, and on that basis no response is necessary.

16 193. Answering Paragraph 193 of the Complaint: It does not pertain to
17 this answering Defendant and therefore Defendant lacks the
18 information and knowledge necessary to form a belief as to
19 Plaintiff's allegations, and on that basis no response is necessary.

20 194. Answering Paragraph 194 of the Complaint, Defendant repeats
21 each and every response contained in Paragraphs 1-193 as if fully
22 set forth herein.

23 195. Answering Paragraph 195 of the Complaint: It does not pertain to
24 this answering Defendant and therefore Defendant lacks the
25 information and knowledge necessary to form a belief as to
26 Plaintiff's allegations, and on that basis no response is necessary.

27 196. Answering Paragraph 196 of the Complaint: It does not pertain to
28 this answering Defendant and therefore Defendant lacks the

1 information and knowledge necessary to form a belief as to
2 Plaintiff's allegations, and on that basis no response is necessary.

3 197. Answering Paragraph 197 of the Complaint: It does not pertain to
4 this answering Defendant and therefore Defendant lacks the
5 information and knowledge necessary to form a belief as to
6 Plaintiff's allegations, and on that basis no response is necessary.

7 198. Answering Paragraph 198 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.

11 199. Answering Paragraph 199 of the Complaint: It does not pertain to
12 this answering Defendant and therefore Defendant lacks the
13 information and knowledge necessary to form a belief as to
14 Plaintiff's allegations, and on that basis no response is necessary.

15 200. Answering Paragraph 200 of the Complaint: It does not pertain to
16 this answering Defendant and therefore Defendant lacks the
17 information and knowledge necessary to form a belief as to
18 Plaintiff's allegations, and on that basis no response is necessary.

19 201. Answering Paragraph 201 of the Complaint, Defendant repeats
20 each and every response contained in Paragraphs 1-200 as if fully
21 set forth herein.

22 202. Answering Paragraph 202 of the Complaint: It does not pertain to
23 this answering Defendant and therefore Defendant lacks the
24 information and knowledge necessary to form a belief as to
25 Plaintiff's allegations, and on that basis no response is necessary.

26 203. Answering Paragraph 203 of the Complaint: It does not pertain to
27 this answering Defendant and therefore Defendant lacks the
28 information and knowledge necessary to form a belief as to

1 Plaintiff's allegations, and on that basis no response is necessary.
2 204. Answering Paragraph 204 of the Complaint: It does not pertain to
3 this answering Defendant and therefore Defendant lacks the
4 information and knowledge necessary to form a belief as to
5 Plaintiff's allegations, and on that basis no response is necessary.
6 205. Answering Paragraph 205 of the Complaint: It does not pertain to
7 this answering Defendant and therefore Defendant lacks the
8 information and knowledge necessary to form a belief as to
9 Plaintiff's allegations, and on that basis no response is necessary.
10 206. Answering Paragraph 206 of the Complaint: It does not pertain to
11 this answering Defendant and therefore Defendant lacks the
12 information and knowledge necessary to form a belief as to
13 Plaintiff's allegations, and on that basis no response is necessary.
14 207. Answering Paragraph 207 of the Complaint: It does not pertain to
15 this answering Defendant and therefore Defendant lacks the
16 information and knowledge necessary to form a belief as to
17 Plaintiff's allegations, and on that basis no response is necessary.
18 208. Answering Paragraph 208 of the Complaint: It does not pertain to
19 this answering Defendant and therefore Defendant lacks the
20 information and knowledge necessary to form a belief as to
21 Plaintiff's allegations, and on that basis no response is necessary.
22 209. Answering Paragraph 209 of the Complaint, Defendant repeats
23 each and every response contained in Paragraphs 1-208 as if fully
24 set forth herein.
25 210. Answering Paragraph 210 of the Complaint: It does not pertain to
26 this answering Defendant and therefore Defendant lacks the
27 information and knowledge necessary to form a belief as to
28 Plaintiff's allegations, and on that basis no response is necessary.

1 211. Answering Paragraph 211 of the Complaint: It does not pertain to
2 this answering Defendant and therefore Defendant lacks the
3 information and knowledge necessary to form a belief as to
4 Plaintiff's allegations, and on that basis no response is necessary.

5 212. Answering Paragraph 212 of the Complaint: It does not pertain to
6 this answering Defendant and therefore Defendant lacks the
7 information and knowledge necessary to form a belief as to
8 Plaintiff's allegations, and on that basis no response is necessary.

9 213. Answering Paragraph 213 of the Complaint: It does not pertain to
10 this answering Defendant and therefore Defendant lacks the
11 information and knowledge necessary to form a belief as to
12 Plaintiff's allegations, and on that basis no response is necessary.

13 214. Answering Paragraph 214 of the Complaint, Defendant repeats
14 each and every response contained in Paragraphs 1-213 as if fully
15 set forth herein.

16 215. Answering Paragraph 215 of the Complaint: It does not pertain to
17 this answering Defendant and therefore Defendant lacks the
18 information and knowledge necessary to form a belief as to
19 Plaintiff's allegations, and on that basis no response is necessary.

20 216. Answering Paragraph 216 of the Complaint: It does not pertain to
21 this answering Defendant and therefore Defendant lacks the
22 information and knowledge necessary to form a belief as to
23 Plaintiff's allegations, and on that basis no response is necessary.

24 217. Answering Paragraph 217 of the Complaint: It does not pertain to
25 this answering Defendant and therefore Defendant lacks the
26 information and knowledge necessary to form a belief as to
27 Plaintiff's allegations, and on that basis no response is necessary.

28 218. Answering Paragraph 218 of the Complaint: It does not pertain to

1 this answering Defendant and therefore Defendant lacks the
2 information and knowledge necessary to form a belief as to
3 Plaintiff's allegations, and on that basis no response is necessary.

4 219. Answering Paragraph 219 of the Complaint: It does not pertain to
5 this answering Defendant and therefore Defendant lacks the
6 information and knowledge necessary to form a belief as to
7 Plaintiff's allegations, and on that basis no response is necessary.

8 220. Answering Paragraph 220 of the Complaint: It does not pertain to
9 this answering Defendant and therefore Defendant lacks the
10 information and knowledge necessary to form a belief as to
11 Plaintiff's allegations, and on that basis no response is necessary.

12 221. Answering Paragraph 221 of the Complaint: It does not pertain to
13 this answering Defendant and therefore Defendant lacks the
14 information and knowledge necessary to form a belief as to
15 Plaintiff's allegations, and on that basis no response is necessary.

16 222. Answering Paragraph 222 of the Complaint: It does not pertain to
17 this answering Defendant and therefore Defendant lacks the
18 information and knowledge necessary to form a belief as to
19 Plaintiff's allegations, and on that basis no response is necessary.

20 223. Answering Paragraph 223 of the Complaint: It does not pertain to
21 this answering Defendant and therefore Defendant lacks the
22 information and knowledge necessary to form a belief as to
23 Plaintiff's allegations, and on that basis no response is necessary.

24 224. Answering Paragraph 224 of the Complaint, Defendant repeats
25 each and every response contained in Paragraphs 1-208 as if fully
26 set forth herein.

27 225. Answering Paragraph 225 of the Complaint: It does not pertain to
28 this answering Defendant and therefore Defendant lacks the

1 information and knowledge necessary to form a belief as to
2 Plaintiff's allegations, and on that basis no response is necessary.
3 226. Answering Paragraph 226 of the Complaint: It does not pertain to
4 this answering Defendant and therefore Defendant lacks the
5 information and knowledge necessary to form a belief as to
6 Plaintiff's allegations, and on that basis no response is necessary.
7 227. Answering Paragraph 227 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.
11 228. Answering Paragraph 228 of the Complaint: It does not pertain to
12 this answering Defendant and therefore Defendant lacks the
13 information and knowledge necessary to form a belief as to
14 Plaintiff's allegations, and on that basis no response is necessary.
15 229. Answering Paragraph 229 of the Complaint: It does not pertain to
16 this answering Defendant and therefore Defendant lacks the
17 information and knowledge necessary to form a belief as to
18 Plaintiff's allegations, and on that basis no response is necessary.
19 230. Answering Paragraph 230 of the Complaint: It does not pertain to
20 this answering Defendant and therefore Defendant lacks the
21 information and knowledge necessary to form a belief as to
22 Plaintiff's allegations, and on that basis no response is necessary.
23 231. Answering Paragraph 231 of the Complaint, Defendant repeats
24 each and every response contained in Paragraphs 1-230 as if fully
25 set forth herein.
26 232. Answering Paragraph 232 of the Complaint: It does not pertain to
27 this answering Defendant and therefore Defendant lacks the
28 information and knowledge necessary to form a belief as to

- 1 Plaintiff's allegations, and on that basis no response is necessary.
- 2 233. Answering Paragraph 233 of the Complaint: It does not pertain to
- 3 this answering Defendant and therefore Defendant lacks the
- 4 information and knowledge necessary to form a belief as to
- 5 Plaintiff's allegations, and on that basis no response is necessary.
- 6 234. Answering Paragraph 234 of the Complaint: It does not pertain to
- 7 this answering Defendant and therefore Defendant lacks the
- 8 information and knowledge necessary to form a belief as to
- 9 Plaintiff's allegations, and on that basis no response is necessary.
- 10 235. Answering Paragraph 235 of the Complaint: It does not pertain to
- 11 this answering Defendant and therefore Defendant lacks the
- 12 information and knowledge necessary to form a belief as to
- 13 Plaintiff's allegations, and on that basis no response is necessary.
- 14 236. Answering Paragraph 236 of the Complaint: It does not pertain to
- 15 this answering Defendant and therefore Defendant lacks the
- 16 information and knowledge necessary to form a belief as to
- 17 Plaintiff's allegations, and on that basis no response is necessary.
- 18 237. Answering Paragraph 237 of the Complaint: It does not pertain to
- 19 this answering Defendant and therefore Defendant lacks the
- 20 information and knowledge necessary to form a belief as to
- 21 Plaintiff's allegations, and on that basis no response is necessary.
- 22 238. Answering Paragraph 238 of the Complaint, Defendant repeats
- 23 each and every response contained in Paragraphs 1-237 as if fully
- 24 set forth herein.
- 25 239. Answering Paragraph 239 of the Complaint: It does not pertain to
- 26 this answering Defendant and therefore Defendant lacks the
- 27 information and knowledge necessary to form a belief as to
- 28 Plaintiff's allegations, and on that basis no response is necessary.

1 240. Answering Paragraph 240 of the Complaint: It does not pertain to
2 this answering Defendant and therefore Defendant lacks the
3 information and knowledge necessary to form a belief as to
4 Plaintiff's allegations, and on that basis no response is necessary.

5 241. Answering Paragraph 241 of the Complaint: It does not pertain to
6 this answering Defendant and therefore Defendant lacks the
7 information and knowledge necessary to form a belief as to
8 Plaintiff's allegations, and on that basis no response is necessary.

9 242. Answering Paragraph 242 of the Complaint: It does not pertain to
10 this answering Defendant and therefore Defendant lacks the
11 information and knowledge necessary to form a belief as to
12 Plaintiff's allegations, and on that basis no response is necessary.

13 243. Answering Paragraph 243 of the Complaint: It does not pertain to
14 this answering Defendant and therefore Defendant lacks the
15 information and knowledge necessary to form a belief as to
16 Plaintiff's allegations, and on that basis no response is necessary.

17 244. Answering Paragraph 244 of the Complaint: It does not pertain to
18 this answering Defendant and therefore Defendant lacks the
19 information and knowledge necessary to form a belief as to
20 Plaintiff's allegations, and on that basis no response is necessary.

21 245. Answering Paragraph 245 of the Complaint: It does not pertain to
22 this answering Defendant and therefore Defendant lacks the
23 information and knowledge necessary to form a belief as to
24 Plaintiff's allegations, and on that basis no response is necessary.

25 246. Answering Paragraph 246 of the Complaint, Defendant repeats
26 each and every response contained in Paragraphs 1-245 as if fully
27 set forth herein.

28 247. Answering Paragraph 247 of the Complaint: It does not pertain to

1 this answering Defendant and therefore Defendant lacks the
2 information and knowledge necessary to form a belief as to
3 Plaintiff's allegations, and on that basis no response is necessary.

4 248. Answering Paragraph 248 of the Complaint: It does not pertain to
5 this answering Defendant and therefore Defendant lacks the
6 information and knowledge necessary to form a belief as to
7 Plaintiff's allegations, and on that basis no response is necessary.

8 249. Answering Paragraph 249 of the Complaint: It does not pertain to
9 this answering Defendant and therefore Defendant lacks the
10 information and knowledge necessary to form a belief as to
11 Plaintiff's allegations, and on that basis no response is necessary.

12 250. Answering Paragraph 250 of the Complaint: It does not pertain to
13 this answering Defendant and therefore Defendant lacks the
14 information and knowledge necessary to form a belief as to
15 Plaintiff's allegations, and on that basis no response is necessary.

16 251. Answering Paragraph 251 of the Complaint, Defendant repeats
17 each and every response contained in Paragraphs 1-250 as if fully
18 set forth herein.

19 252. Answering Paragraph 252 of the Complaint: It does not pertain to
20 this answering Defendant and therefore Defendant lacks the
21 information and knowledge necessary to form a belief as to
22 Plaintiff's allegations, and on that basis no response is necessary.

23 253. Answering Paragraph 253 of the Complaint: It does not pertain to
24 this answering Defendant and therefore Defendant lacks the
25 information and knowledge necessary to form a belief as to
26 Plaintiff's allegations, and on that basis no response is necessary.

27 254. Answering Paragraph 254 of the Complaint: It does not pertain to
28 this answering Defendant and therefore Defendant lacks the

1 information and knowledge necessary to form a belief as to
2 Plaintiff's allegations, and on that basis no response is necessary.

3 255. Answering Paragraph 255 of the Complaint: It does not pertain to
4 this answering Defendant and therefore Defendant lacks the
5 information and knowledge necessary to form a belief as to
6 Plaintiff's allegations, and on that basis no response is necessary.

7 256. Answering Paragraph 256 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.

11 257. Answering Paragraph 257 of the Complaint: It does not pertain to
12 this answering Defendant and therefore Defendant lacks the
13 information and knowledge necessary to form a belief as to
14 Plaintiff's allegations, and on that basis no response is necessary.

15 258. Answering Paragraph 258 of the Complaint: It does not pertain to
16 this answering Defendant and therefore Defendant lacks the
17 information and knowledge necessary to form a belief as to
18 Plaintiff's allegations, and on that basis no response is necessary.

19 259. Answering Paragraph 259 of the Complaint: It does not pertain to
20 this answering Defendant and therefore Defendant lacks the
21 information and knowledge necessary to form a belief as to
22 Plaintiff's allegations, and on that basis no response is necessary.

23 260. Answering Paragraph 260 of the Complaint: It does not pertain to
24 this answering Defendant and therefore Defendant lacks the
25 information and knowledge necessary to form a belief as to
26 Plaintiff's allegations, and on that basis no response is necessary.

27 261. Answering Paragraph 261 of the Complaint: It does not pertain to
28 this answering Defendant and therefore Defendant lacks the

1 information and knowledge necessary to form a belief as to
2 Plaintiff's allegations, and on that basis no response is necessary.

3 262. Answering Paragraph 262 of the Complaint: It does not pertain to
4 this answering Defendant and therefore Defendant lacks the
5 information and knowledge necessary to form a belief as to
6 Plaintiff's allegations, and on that basis no response is necessary.

7 263. Answering Paragraph 263 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.

11 264. Answering Paragraph 264 of the Complaint: It does not pertain to
12 this answering Defendant and therefore Defendant lacks the
13 information and knowledge necessary to form a belief as to
14 Plaintiff's allegations, and on that basis no response is necessary.

15 265. Answering Paragraph 265 of the Complaint: It does not pertain to
16 this answering Defendant and therefore Defendant lacks the
17 information and knowledge necessary to form a belief as to
18 Plaintiff's allegations, and on that basis no response is necessary.

19 266. Answering Paragraph 266 of the Complaint: It does not pertain to
20 this answering Defendant and therefore Defendant lacks the
21 information and knowledge necessary to form a belief as to
22 Plaintiff's allegations, and on that basis no response is necessary.

23 267. Answering Paragraph 267 of the Complaint: It does not pertain to
24 this answering Defendant and therefore Defendant lacks the
25 information and knowledge necessary to form a belief as to
26 Plaintiff's allegations, and on that basis no response is necessary.

27 268. Answering Paragraph 268 of the Complaint, Defendant repeats
28 each and every response contained in Paragraphs 1-267 as if fully

1 set forth herein

2 269. Answering Paragraph 269 of the Complaint: It does not pertain to
3 this answering Defendant and therefore Defendant lacks the
4 information and knowledge necessary to form a belief as to
5 Plaintiff's allegations, and on that basis no response is necessary.

6 270. Answering Paragraph 270 of the Complaint: It does not pertain to
7 this answering Defendant and therefore Defendant lacks the
8 information and knowledge necessary to form a belief as to
9 Plaintiff's allegations, and on that basis no response is necessary.

10 271. Answering Paragraph 271 of the Complaint: It does not pertain to
11 this answering Defendant and therefore Defendant lacks the
12 information and knowledge necessary to form a belief as to
13 Plaintiff's allegations, and on that basis no response is necessary.

14 272. Answering Paragraph 272 of the Complaint: It does not pertain to
15 this answering Defendant and therefore Defendant lacks the
16 information and knowledge necessary to form a belief as to
17 Plaintiff's allegations, and on that basis no response is necessary.

18 273. Answering Paragraph 273 of the Complaint: It does not pertain to
19 this answering Defendant and therefore Defendant lacks the
20 information and knowledge necessary to form a belief as to
21 Plaintiff's allegations, and on that basis no response is necessary.

22 274. Answering Paragraph 274 of the Complaint: It does not pertain to
23 this answering Defendant and therefore Defendant lacks the
24 information and knowledge necessary to form a belief as to
25 Plaintiff's allegations, and on that basis no response is necessary.

26 275. Answering Paragraph 275 of the Complaint, Defendant repeats
27 each and every response contained in Paragraphs 1-274 as if fully
28 set forth herein

- 1 276. Answering Paragraph 276 of the Complaint: It does not pertain to
2 this answering Defendant and therefore Defendant lacks the
3 information and knowledge necessary to form a belief as to
4 Plaintiff's allegations, and on that basis no response is necessary.
- 5 277. Answering Paragraph 277 of the Complaint: It does not pertain to
6 this answering Defendant and therefore Defendant lacks the
7 information and knowledge necessary to form a belief as to
8 Plaintiff's allegations, and on that basis no response is necessary.
- 9 278. Answering Paragraph 278 of the Complaint: It does not pertain to
10 this answering Defendant and therefore Defendant lacks the
11 information and knowledge necessary to form a belief as to
12 Plaintiff's allegations, and on that basis no response is necessary.
- 13 279. Answering Paragraph 279 of the Complaint: It does not pertain to
14 this answering Defendant and therefore Defendant lacks the
15 information and knowledge necessary to form a belief as to
16 Plaintiff's allegations, and on that basis no response is necessary.
- 17 280. Answering Paragraph 280 of the Complaint: It does not pertain to
18 this answering Defendant and therefore Defendant lacks the
19 information and knowledge necessary to form a belief as to
20 Plaintiff's allegations, and on that basis no response is necessary.
- 21 281. Answering Paragraph 281 of the Complaint: It does not pertain to
22 this answering Defendant and therefore Defendant lacks the
23 information and knowledge necessary to form a belief as to
24 Plaintiff's allegations, and on that basis no response is necessary.
- 25 282. Answering Paragraph 282 of the Complaint: It does not pertain to
26 this answering Defendant and therefore Defendant lacks the
27 information and knowledge necessary to form a belief as to
28 Plaintiff's allegations, and on that basis no response is necessary.

- 1 283. Answering Paragraph 283 of the Complaint, Defendant repeats
2 each and every response contained in Paragraphs 1-282 as if fully
3 set forth herein
- 4 284. Answering Paragraph 284 of the Complaint: It does not pertain to
5 this answering Defendant and therefore Defendant lacks the
6 information and knowledge necessary to form a belief as to
7 Plaintiff's allegations, and on that basis no response is necessary.
- 8 285. Answering Paragraph 285 of the Complaint: It does not pertain to
9 this answering Defendant and therefore Defendant lacks the
10 information and knowledge necessary to form a belief as to
11 Plaintiff's allegations, and on that basis no response is necessary.
- 12 286. Answering Paragraph 286 of the Complaint: It does not pertain to
13 this answering Defendant and therefore Defendant lacks the
14 information and knowledge necessary to form a belief as to
15 Plaintiff's allegations, and on that basis no response is necessary.
- 16 287. Answering Paragraph 287 of the Complaint: It does not pertain to
17 this answering Defendant and therefore Defendant lacks the
18 information and knowledge necessary to form a belief as to
19 Plaintiff's allegations, and on that basis no response is necessary.
- 20 288. Answering Paragraph 288 of the Complaint, Defendant repeats
21 each and every response contained in Paragraphs 1-287 as if fully
22 set forth herein
- 23 289. Answering Paragraph 289 of the Complaint: It does not pertain to
24 this answering Defendant and therefore Defendant lacks the
25 information and knowledge necessary to form a belief as to
26 Plaintiff's allegations, and on that basis no response is necessary.
- 27 290. Answering Paragraph 290 of the Complaint: It does not pertain to
28 this answering Defendant and therefore Defendant lacks the

1 information and knowledge necessary to form a belief as to
2 Plaintiff's allegations, and on that basis no response is necessary.

3 291. Answering Paragraph 291 of the Complaint: It does not pertain to
4 this answering Defendant and therefore Defendant lacks the
5 information and knowledge necessary to form a belief as to
6 Plaintiff's allegations, and on that basis no response is necessary.

7 292. Answering Paragraph 292 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.

11 293. Answering Paragraph 293 of the Complaint: It does not pertain to
12 this answering Defendant and therefore Defendant lacks the
13 information and knowledge necessary to form a belief as to
14 Plaintiff's allegations, and on that basis no response is necessary.

15 294. Answering Paragraph 294 of the Complaint: It does not pertain to
16 this answering Defendant and therefore Defendant lacks the
17 information and knowledge necessary to form a belief as to
18 Plaintiff's allegations, and on that basis no response is necessary.

19 295. Answering Paragraph 295 of the Complaint: It does not pertain to
20 this answering Defendant and therefore Defendant lacks the
21 information and knowledge necessary to form a belief as to
22 Plaintiff's allegations, and on that basis no response is necessary.

23 296. Answering Paragraph 296 of the Complaint: It does not pertain to
24 this answering Defendant and therefore Defendant lacks the
25 information and knowledge necessary to form a belief as to
26 Plaintiff's allegations, and on that basis no response is necessary.

27 297. Answering Paragraph 297 of the Complaint: It does not pertain to
28 this answering Defendant and therefore Defendant lacks the

1 information and knowledge necessary to form a belief as to
2 Plaintiff's allegations, and on that basis no response is necessary.

3 298. Answering Paragraph 298 of the Complaint: It does not pertain to
4 this answering Defendant and therefore Defendant lacks the
5 information and knowledge necessary to form a belief as to
6 Plaintiff's allegations, and on that basis no response is necessary.

7 299. Answering Paragraph 299 of the Complaint: It does not pertain to
8 this answering Defendant and therefore Defendant lacks the
9 information and knowledge necessary to form a belief as to
10 Plaintiff's allegations, and on that basis no response is necessary.

11 300. Answering Paragraph 300 of the Complaint: It does not pertain to
12 this answering Defendant and therefore Defendant lacks the
13 information and knowledge necessary to form a belief as to
14 Plaintiff's allegations, and on that basis no response is necessary.

15 301. Answering Paragraph 301 of the Complaint: It does not pertain to
16 this answering Defendant and therefore Defendant lacks the
17 information and knowledge necessary to form a belief as to
18 Plaintiff's allegations, and on that basis no response is necessary.

19 302. Answering Paragraph 302 of the Complaint: It does not pertain to
20 this answering Defendant and therefore Defendant lacks the
21 information and knowledge necessary to form a belief as to
22 Plaintiff's allegations, and on that basis no response is necessary.

23 303. Answering Paragraph 303 of the Complaint: It does not pertain to
24 this answering Defendant and therefore Defendant lacks the
25 information and knowledge necessary to form a belief as to
26 Plaintiff's allegations, and on that basis no response is necessary.

27 304. Answering Paragraph 304 of the Complaint: It does not pertain to
28 this answering Defendant and therefore Defendant lacks the

1 information and knowledge necessary to form a belief as to
2 Plaintiff's allegations, and on that basis no response is necessary.

3 305. Answering Paragraph 305 of the Complaint, Defendant repeats
4 each and every response contained in Paragraphs 1-304 as if fully
5 set forth herein

6 306. Answering Paragraph 306 of the Complaint: It does not pertain to
7 this answering Defendant and therefore Defendant lacks the
8 information and knowledge necessary to form a belief as to
9 Plaintiff's allegations, and on that basis no response is necessary.

10 307. Answering Paragraph 307 of the Complaint: It does not pertain to
11 this answering Defendant and therefore Defendant lacks the
12 information and knowledge necessary to form a belief as to
13 Plaintiff's allegations, and on that basis no response is necessary.

14 308. Answering Paragraph 308 of the Complaint: It does not pertain to
15 this answering Defendant and therefore Defendant lacks the
16 information and knowledge necessary to form a belief as to
17 Plaintiff's allegations, and on that basis no response is necessary.

18 309. Answering Paragraph 309 of the Complaint: It does not pertain to
19 this answering Defendant and therefore Defendant lacks the
20 information and knowledge necessary to form a belief as to
21 Plaintiff's allegations, and on that basis no response is necessary.

22 310. Answering Paragraph 310 of the Complaint: It does not pertain to
23 this answering Defendant and therefore Defendant lacks the
24 information and knowledge necessary to form a belief as to
25 Plaintiff's allegations, and on that basis no response is necessary.

26 311. Answering Paragraph 311 of the Complaint: It does not pertain to
27 this answering Defendant and therefore Defendant lacks the
28 information and knowledge necessary to form a belief as to

1 Plaintiff's allegations, and on that basis no response is necessary.
2 312. Answering Paragraph 312 of the Complaint, Defendant repeats
3 each and every response contained in Paragraphs 1-311 as if fully
4 set forth herein
5 313. Answering Paragraph 313 of the Complaint: It does not pertain to
6 this answering Defendant and therefore Defendant lacks the
7 information and knowledge necessary to form a belief as to
8 Plaintiff's allegations, and on that basis no response is necessary.
9 314. Answering Paragraph 314 of the Complaint: It does not pertain to
10 this answering Defendant and therefore Defendant lacks the
11 information and knowledge necessary to form a belief as to
12 Plaintiff's allegations, and on that basis no response is necessary.
13 315. Answering Paragraph 315 of the Complaint: It does not pertain to
14 this answering Defendant and therefore Defendant lacks the
15 information and knowledge necessary to form a belief as to
16 Plaintiff's allegations, and on that basis no response is necessary.
17 316. Answering Paragraph 316 of the Complaint: It does not pertain to
18 this answering Defendant and therefore Defendant lacks the
19 information and knowledge necessary to form a belief as to
20 Plaintiff's allegations, and on that basis no response is necessary.
21 317. Answering Paragraph 317 of the Complaint: It does not pertain to
22 this answering Defendant and therefore Defendant lacks the
23 information and knowledge necessary to form a belief as to
24 Plaintiff's allegations, and on that basis no response is necessary.
25 318. Answering Paragraph 318 of the Complaint: It does not pertain to
26 this answering Defendant and therefore Defendant lacks the
27 information and knowledge necessary to form a belief as to
28 Plaintiff's allegations, and on that basis no response is necessary.

1 319. Answering Paragraph 319 of the Complaint: It does not pertain to
2 this answering Defendant and therefore Defendant lacks the
3 information and knowledge necessary to form a belief as to
4 Plaintiff's allegations, and on that basis no response is necessary.

5 320. Answering Paragraph 320 of the Complaint, Defendant repeats
6 each and every response contained in Paragraphs 1-319 as if fully
7 set forth herein

8 321. Answering Paragraph 321 of the Complaint: It does not pertain to
9 this answering Defendant and therefore Defendant lacks the
10 information and knowledge necessary to form a belief as to
11 Plaintiff's allegations, and on that basis no response is necessary.

12 322. Answering Paragraph 322 of the Complaint: It does not pertain to
13 this answering Defendant and therefore Defendant lacks the
14 information and knowledge necessary to form a belief as to
15 Plaintiff's allegations, and on that basis no response is necessary.

16 323. Answering Paragraph 323 of the Complaint: It does not pertain to
17 this answering Defendant and therefore Defendant lacks the
18 information and knowledge necessary to form a belief as to
19 Plaintiff's allegations, and on that basis no response is necessary.

20 324. Answering Paragraph 324 of the Complaint: It does not pertain to
21 this answering Defendant and therefore Defendant lacks the
22 information and knowledge necessary to form a belief as to
23 Plaintiff's allegations, and on that basis no response is necessary.

24 325. Answering Paragraph 325 of the Complaint, Defendant repeats
25 each and every response contained in Paragraphs 1-324 as if fully
26 set forth herein

27 326. Answering Paragraph 326 of the complaint, Defendant denies each
28 and every allegation contained therein to the extent that it relates to

1 La Salsa store No. 93. Defendant is without knowledge or
2 information sufficient to form a belief as to the truth of the
3 allegations as to the other defendants.

4 327. Answering Paragraph 327 of the complaint, Defendant denies each
5 and every allegation contained therein to the extent that it relates to
6 La Salsa store No. 93. Defendant is without knowledge or
7 information sufficient to form a belief as to the truth of the
8 allegations as to the other defendants.

9 328. Answering Paragraph 328 of the complaint, Defendant denies each
10 and every allegation contained therein to the extent that it relates to
11 La Salsa store No. 93. Defendant is without knowledge or
12 information sufficient to form a belief as to the truth of the
13 allegations as to the other defendants.

14 329. Answering Paragraph 329 of the complaint, Defendant denies each
15 and every allegation contained therein to the extent that it relates to
16 La Salsa store No. 93. Defendant is without knowledge or
17 information sufficient to form a belief as to the truth of the
18 allegations as to the other defendants.

19 330. Answering Paragraph 330 of the complaint, Defendant denies each
20 and every allegation contained therein to the extent that it relates to
21 La Salsa store No. 93. Defendant is without knowledge or
22 information sufficient to form a belief as to the truth of the
23 allegations as to the other defendants.

24 331. Answering Paragraph 331 of the complaint, Defendant denies each
25 and every allegation contained therein to the extent that it relates to
26 La Salsa store No. 93. Defendant is without knowledge or
27 information sufficient to form a belief as to the truth of the
28 allegations as to the other defendants.

1 332. Answering Paragraph 332 of the complaint, Defendant denies each
2 and every allegation contained therein to the extent that it relates to
3 La Salsa store No. 93. Defendant is without knowledge or
4 information sufficient to form a belief as to the truth of the
5 allegations as to the other defendants.

6 333. Answering Paragraph 333 of the complaint, Defendant denies each
7 and every allegation contained therein to the extent that it relates to
8 La Salsa store No. 93. Defendant is without knowledge or
9 information sufficient to form a belief as to the truth of the
10 allegations as to the other defendants.

11 334. Answering Paragraph 334 of the complaint, Defendant denies each
12 and every allegation contained therein to the extent that it relates to
13 La Salsa store No. 93. Defendant is without knowledge or
14 information sufficient to form a belief as to the truth of the
15 allegations as to the other defendants.

16 335. Answering Paragraph 335 of the complaint, Defendant denies each
17 and every allegation contained therein to the extent that it relates to
18 La Salsa store No. 93. Defendant is without knowledge or
19 information sufficient to form a belief as to the truth of the
20 allegations as to the other defendants.

21 336. Answering Paragraph 336 of the complaint, Defendant denies each
22 and every allegation contained therein to the extent that it relates to
23 La Salsa store No. 93. Defendant is without knowledge or
24 information sufficient to form a belief as to the truth of the
25 allegations as to the other defendants.

26 337. Answering Paragraph 337 of the complaint, Defendant denies each
27 and every allegation contained therein to the extent that it relates to
28 La Salsa store No. 93. Defendant is without knowledge or

1 information sufficient to form a belief as to the truth of the
2 allegations as to the other defendants.

3 338. Answering Paragraph 338 of the complaint, Defendant denies each
4 and every allegation contained therein to the extent that it relates to
5 La Salsa store No. 93. Defendant is without knowledge or
6 information sufficient to form a belief as to the truth of the
7 allegations as to the other defendants.

8 339. Answering Paragraph 339 of the complaint, Defendant denies each
9 and every allegation contained therein to the extent that it relates to
10 La Salsa store No. 93. Defendant is without knowledge or
11 information sufficient to form a belief as to the truth of the
12 allegations as to the other defendants.

13 340. Answering Paragraph 340 of the complaint, Defendant denies each
14 and every allegation contained therein to the extent that it relates to
15 La Salsa store No. 93. Defendant is without knowledge or
16 information sufficient to form a belief as to the truth of the
17 allegations as to the other defendants.

18 341. Answering Paragraph 341 of the complaint, Defendant denies each
19 and every allegation contained therein to the extent that it relates to
20 La Salsa store No. 93. Defendant is without knowledge or
21 information sufficient to form a belief as to the truth of the
22 allegations as to the other defendants.

23 342. Answering Paragraph 342 of the Complaint, Defendant repeats
24 each and every response contained in Paragraphs 1-341 as if fully
25 set forth herein

26 343. Answering Paragraph 343 of the complaint, Defendant denies each
27 and every allegation contained therein to the extent that it relates to
28 La Salsa store No. 93. Defendant is without knowledge or

1 information sufficient to form a belief as to the truth of the
2 allegations as to the other defendants.

3 344. Answering Paragraph 344 of the complaint, Defendant denies
4 each and every allegation contained therein to the extent that it
5 relates to La Salsa store No. 93. Defendant is without knowledge
6 or information sufficient to form a belief as to the truth of the
7 allegations as to the other defendants.

8 345. Answering Paragraph 345 of the complaint, Defendant denies each
9 and every allegation contained therein to the extent that it relates to
10 La Salsa store No. 93. Defendant is without knowledge or
11 information sufficient to form a belief as to the truth of the
12 allegations as to the other defendants.

13 346. Answering Paragraph 346 of the complaint, Defendant denies each
14 and every allegation contained therein to the extent that it relates to
15 La Salsa store No. 93. Defendant is without knowledge or
16 information sufficient to form a belief as to the truth of the
17 allegations as to the other defendants.

18 347. Answering Paragraph 347 of the complaint, Defendant denies each
19 and every allegation contained therein to the extent that it relates to
20 La Salsa store No. 93. Defendant is without knowledge or
21 information sufficient to form a belief as to the truth of the
22 allegations as to the other defendants.

23 348. Answering Paragraph 348 of the complaint, Defendant denies each
24 and every allegation contained therein to the extent that it relates to
25 La Salsa store No. 93. Defendant is without knowledge or
26 information sufficient to form a belief as to the truth of the
27 allegations as to the other defendants.

28 349. Answering Paragraph 349 of the Complaint, Defendant repeats

1 each and every response contained in Paragraphs 1-348 as if fully
2 set forth herein

3 350. Answering Paragraph 350 of the complaint, Defendant denies each
4 and every allegation contained therein to the extent that it relates to
5 La Salsa store No. 93. Defendant is without knowledge or
6 information sufficient to form a belief as to the truth of the
7 allegations as to the other defendants.

8 351. Answering Paragraph 351 of the complaint, Defendant denies each
9 and every allegation contained therein to the extent that it relates to
10 La Salsa store No. 93. Defendant is without knowledge or
11 information sufficient to form a belief as to the truth of the
12 allegations as to the other defendants.

13 352. Answering Paragraph 352 of the complaint, Defendant denies each
14 and every allegation contained therein to the extent that it relates to
15 La Salsa store No. 93. Defendant is without knowledge or
16 information sufficient to form a belief as to the truth of the
17 allegations as to the other defendants.

18 353. Answering Paragraph 353 of the complaint, Defendant denies each
19 and every allegation contained therein to the extent that it relates to
20 La Salsa store No. 93. Defendant is without knowledge or
21 information sufficient to form a belief as to the truth of the
22 allegations as to the other defendants.

23 354. Answering Paragraph 354 of the complaint, Defendant denies each
24 and every allegation contained therein to the extent that it relates to
25 La Salsa store No. 93. Defendant is without knowledge or
26 information sufficient to form a belief as to the truth of the
27 allegations as to the other defendants.

28 355. Answering Paragraph 355 of the Complaint, Defendant repeats

1 each and every response contained in Paragraphs 1-341 as if fully
2 set forth herein

3 356. Answering Paragraph 356 of the complaint, Defendant denies each
4 and every allegation contained therein to the extent that it relates to
5 La Salsa store No. 93. Defendant is without knowledge or
6 information sufficient to form a belief as to the truth of the
7 allegations as to the other defendants.

8 357. Answering Paragraph 357 of the Complaint, Defendant repeats
9 each and every response contained in Paragraphs 1-356 as if fully
10 set forth herein

11 358. Answering Paragraph 358 of the complaint, Defendant denies
12 each and every allegation contained therein to the extent that it
13 relates to La Salsa store No. 93. Defendant is without knowledge
14 or information sufficient to form a belief as to the truth of the
15 allegations as to the other defendants.

16 359. Answering Paragraph 359 of the complaint, Defendant denies each
17 and every allegation contained therein to the extent that it relates to
18 La Salsa store No. 93. Defendant is without knowledge or
19 information sufficient to form a belief as to the truth of the
20 allegations as to the other defendants.

21 360. Answering Paragraph 360 of the complaint, Defendant denies each
22 and every allegation contained therein to the extent that it relates to
23 La Salsa store No. 93. Defendant is without knowledge or
24 information sufficient to form a belief as to the truth of the
25 allegations as to the other defendants.

26 361. Answering Paragraph 361 of the complaint, Defendant denies each
27 and every allegation contained therein to the extent that it relates to
28 La Salsa store No. 93. Defendant is without knowledge or

1 information sufficient to form a belief as to the truth of the
2 allegations as to the other defendants.

3 362. **PRAYERS**: Defendant denies that Mr. McIver is entitled to any
4 relief whatsoever from La Salsa or La Salsa Store No. 93.

5 363. **AFFIRMATIVE DEFENSE 1**: The Complaint and each and
6 every claim therein, fails to state a claim for which relief can be
7 granted and should, therefore, be dismissed.

8 364. **AFFIRMATIVE DEFENSE 2**: Mr. McIver failed to properly
9 mitigate his alleged damages and therefore is precluded from
10 recovering those alleged damages.

11 365. **AFFIRMATIVE DEFENSE 3**: Mr. McIver's alleged damages
12 and the occurrences alleged in the Complaint were caused by the
13 negligence and /or fault of other persons or entities, whether or not
14 parties to this action, and Defendant's alleged liability should be
15 reduced accordingly.

16 366. **AFFIRMATIVE DEFENSE 4**: Pursuant to 42 U.S.C. section
17 12205, in the event that Defendant prevails in this action,
18 Defendant should be awarded its reasonable attorney's fees and
19 costs incurred in the defense of this action.

20 367. **AFFIRMATIVE DEFENSE 5**: Defendant's conduct was
21 privileged because it was undertaken pursuant to the terms of the
22 applicable law, regulations, orders, and approvals relating to
23 building construction and/or fire safety and public safety.

24 368. **AFFIRMATIVE DEFENSE 6**: Mr. McIver's Complaint and all
25 claims alleged therein are barred by the issuance by local building
26 authorities of appropriate building permits and Certificates of
27 Occupancy for the facility at issue.

28 369. **AFFIRMATIVE DEFENSE 7**: Mr. McIver's Complaint and all

1 claims alleged therein are barred by the Defendant's good faith
2 reliance upon reasonable interpretations of California law by local
3 building authorities and issuance of appropriate building permits
4 and Certificates of Occupancy for the facility at issue.

5 370. **AFFIRMATIVE DEFENSE 8:** The changes that Mr. McIver
6 suggests be made were not and are not required under Federal or
7 California law. And any requirements to make those changes
8 would impose an undue burden upon Defendant.

9 371. **AFFIRMATIVE DEFENSE 9:** Mr. McIver is estopped by his
10 conduct from recovering any relief under the Complaint.

11 372. **AFFIRMATIVE DEFENSE 10:** Mr. McIver's claims are barred,
12 in whole or in part, by the doctrine of waiver.

13 373. **AFFIRMATIVE DEFENSE 11:** Mr. McIver lacks standing to
14 pursue his alleged claims.

15 374. **AFFIRMATIVE DEFENSE 12:** Mr. McIver's state law claim is
16 preempted by federal law.

17 375. **AFFIRMATIVE DEFENSE 13:** Mr. McIver's alleged claims are
18 barred, in whole or in part, because the challenged conditions have
19 been remedied and thus, Plaintiff will not again be subjected to the
20 same wrongful conduct by Defendant.

21 376. **AFFIRMATIVE DEFENSE 14:** Mr. McIver's claims may be
22 barred by any or all of the affirmative defenses contemplated by
23 Rules 8 and 12 of the Federal Rules of Civil Procedure. The extent
24 to which Mr. McIver's claims may be barred cannot be determined
25 until Defendant has an opportunity to complete discovery.
26 Therefore, Defendant incorporates all such affirmative defenses as
27 though fully set forth herein.

28 377. **AFFIRMATIVE DEFENSE 15:** Any alleged wrongful acts or

1 omissions performed by Defendant or its agents, if there were any,
2 do not subject Defendant to liability because the removal of
3 alleged architectural barriers was not readily achievable.

4 378. **AFFIRMATIVE DEFENSE 16:** Mr. McIver is barred from
5 recovery under California Civil Code § 51 because such section
6 does not apply to the alleged conduct at issue.

7 379. **AFFIRMATIVE DEFENSE 17:** Any allegedly wrongful acts or
8 omissions performed by Defendant or its agents, if there were even
9 any, do not subject Defendant to liability because Defendant
10 accommodated Plaintiff's alleged disability by providing services
11 via alternative methods other than the removal of alleged
12 architectural barriers.

13 380. **AFFIRMATIVE DEFENSE 18:** The Complaint, and each and
14 every purported claim alleged therein, fails to state facts sufficient
15 to constitute a claim against this Defendant because any actions
16 taken with respect to Mr. McIver were for legitimate, non-
17 discriminatory business reasons unrelated to Mr. McIver's alleged
18 disability or other asserted protected status.

19 381. **AFFIRMATIVE DEFENSE 19:** Defendant is informed and
20 believes and based thereon alleges that Mr. McIver has not
21 suffered any damages as a result of any actions taken by
22 Defendant, has not consumed a single La Salsa Store No. 93
23 Burrito, Taco Salad or Pork Carnita or may not have consumed
24 anything at all in La Salsa Store No. 93, and Mr. McIver is thereby
25 barred from asserting any claim against Defendant.

26 382. **AFFIRMATIVE DEFENSE 20:** Defendant and its agents acted
27 reasonably and in good faith at all times material herein, based on
28 all relevant facts and circumstances known by them at the time that

1 they acted. Accordingly, Mr. McIver is barred, in whole or in part,
2 from any recovery in this action.

3 383. **AFFIRMATIVE DEFENSE 21:** Mr. McIver's alleged claims are
4 barred, in whole or in part, because Mr. McIver lacks standing
5 under the Americans with Disabilities Act.

6 384. **AFFIRMATIVE DEFENSE 22:** The Complaint and each and
7 every purported claim alleged therein, is barred by the existence of
8 an express contractual indemnity in favor of Defendant.

9 385. **AFFIRMATIVE DEFENSE 23:** Any and all damages sustained
10 by Mr. McIver were proximately caused and contributed to by the
11 superseding negligence or other tortuous conduct of third parties
12 and, accordingly, Defendant is entitled to total or partial indemnity
13 from said third parties.

14 386. **AFFIRMATIVE DEFENSE 24:** Defendant alleges all the other
15 defenses that may become available as a result of information
16 developed though discovery or trial.


17
18 **WHEREFORE,** Defendant prays that this Court enter a judgment as follows:

- 19 1. That the Complaint be dismissed with prejudice and that judgment
20 be entered in favor of La Salsa, Store No. 93;
 - 21 2. That Mr. McIver take nothing by way of his Complaint;
 - 22 3. That La Salsa Store No. 93 be awarded its costs of suit incurred in
23 defense of this action, including its reasonable attorney's fees; and
 - 24 4. For such further and other relief as the Court may deem just and
25 proper.
- 26
27
28

1 **JURY TRIAL:** Pursuant to Fed R. Civ. P. 38(a), Defendant demands trial by
2 jury of any and all issues triable of right by a jury.
3

4
5 DATED: March 5, 2008
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PERRY ROSHAN-ZAMIR
LA SALSA, INC.

PROOF OF SERVICE

I am a resident of and employed in the state of California, I am over the age of 18 years, and I am not a party to this lawsuit. My business address is 2530 Wilshire Blvd., 3rd Floor, Santa Monica, CA 90403. On the date set forth below, I served the following document(s):

LA SALSA INC.'s ANSWER TO COMPLAINT

on the interested party(ies) in this action as set forth in the attached service list in the following manner:

STATE:

- ☐ **By personal service.** I personally delivered the documents to the persons at the addresses as set forth on the attached service list. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not less than 18 years of age between the hours of eight in the morning and six in the evening.
- ☐ **By Unites States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses as set forth below and, at Thousand Oaks, California, I either deposited the sealed envelope with the U.S. Postal Service, with the postage fully prepaid, or placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with U.S. Postal Service, in a sealed envelope with postage fully prepaid.
- ☐ **By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses as set forth below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- ☒ **By office mail.** I am readily familiar with my firm's or other business' practice for the collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence would be deposited with the United States Postal Service that same day. I placed true copies of the above-entitled document in envelopes addressed as shown above and sealed and placed them for collection and mailing on the date stated below, following ordinary business practices. (C.C.P. §1013a(3))
- ☐ **By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers as set forth below. No error was reported by the fax machine that I used.
- ☐ **By e-mail or electronic transmission.** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses as set forth below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

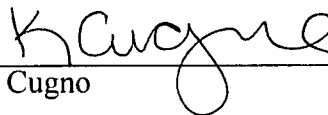
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FEDERAL:

[X] I declare under penalty of perjury that the forgoing is true and correct, and that I am employed at the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 5, 2008, at Santa Monica, California.


Kerry Cugno

McIVER v. LA SALSA
SERVICE LIST

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